

January 19th, 1993

Office of the Secretary  
Federal Communications Commission  
1919 M Street N.W.  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
FCC - MAIL ROOM

Re: Innapropriate Political Televised Campaign Advertising

In our recent senate elections to replace deceased Senator Quentin Burdick, independent candidate Darold Larson ran on a pro-life platform. It is the opinion of most people in this area, including the local newspaper editorials, that Mr. Larsons' was not a serious bid for the senate. What it appeared to be was a legal loophole to show graffic anti- abortion clips on daytime T.V. These ads were the most gruesome thing I've ever seen on any television station.

Shown were bloody fetuses, mutilated body parts, and decapitated heads. There were about a dozen different ads of varying degrees. His whole campaign is aimed at closing North Dakota's only abortion clinic.

I strongly support Mr. Larsons 1st Amendment rights to voice his opinion on abortion and his efforts to end what many feel is a great injustice to the unborn. Unfortunately, Mr. Larsons methods are detrimental to the emotional well being of children who do not understand the issues or the graffic nature of what they are being exposed to.

After viewing the first of Mr. Larsons political campaign ads I was compelled as a mother of two pre-school children, to attempt to have the ads taken off daytime T.V. Speaking with other parents I heard stories of children crying inconsolibly, others thinking someone could come to cut off their arms and legs, even one child who locked herself in a bedroom closet, refusing to come out. Many parents also reported their children having nightmares.

With television programming the way it is today, parents must monitor what their children are viewing. However, this is next to impossible with these commercials running at different times-different days. It was especially hard in this case since Mr. Larson publically stated he was targeting childrens viewing times with his ads! They were run during a Michael Jackson special. They were even run during Saturday morning cartoons!

I cannot fathom how an actual head, positioned so that you can see an eyeball ripped from the socket, floating in a dish of blood can be deemed acceptable for daytime viewing. And this he targets children with? These ads would surely qualify for an R rating in any movie theater in the country.

No. of Copies rec'd  
List A B C D E

2 copies

Mr. Larsons 1st Amendment rights allow him to speak his beliefs on abortion or any other issue. What it does not do is give him the right to abuse the children who are already on this earth. His rights should not take away my rights as a parent to decide when and how to discuss the difficult subject of abortion with my children. His rights do not include forcing a parent to turn off the television for several months prior to an election. Now that special interest groups know how to reach a national audience with any message they may have, then this issue is just going to get more complicated and controversial.

Everything I've read, and everything I've heard from our state legislators says that the FCC has the power to have commercials like the one I've described taken off daytime T.V. At the very least clarify the safe harbor laws so local stations can use some discretion and limit ads such as these described to hours they feel acceptable to the communities they serve without fear of a lawsuit.

Please remember, child abuse is Not a first amendment right!

Sincerely,

Christine R. Trove  
Homemaker  
204 Evergreen Lane  
Kindred, North Dakota  
58051  
701-428-9026

# Larson abortion ad attacks Conrad

By Patrick Springer  
STAFF WRITER

Pro-life Senate candidate Darold Larson accused Sen. Kent Conrad, D-N.D., of voting for medical experimentation on the bodies of murdered babies in a graphic television advertisement that debuted Saturday.

□Larson says he's penniless, but he's not a pauper/A6

Conrad swiftly denounced the new spot, which began airing shortly after 6 p.m. on WDAY-TV in Fargo and WDAZ-TV in Grand Forks, branding it an "outrageous abuse" of the political process.

"This is a monstrous and grotesque distortion," Conrad said. "I voted to permit the National Institutes of Health to use fetal tissue for research to discover cures for tragic genetic illnesses, including Alzheimer's, Parkinson's and diabetes."

But Larson defended his spots and challenged Conrad to debate "anytime, anyplace" on the issue of fetal research — an invitation Conrad promptly spurned as inappropriate.

In the television spot, Larson

□Ads

Back page, Column one



## npaign is about child abuse

old Larson's campaign is not about politics. It is not about abortion — it is about child abuse. Intentionally buying time during children's programming to show these images is intolerable.

I were showing these kinds of images to my 3-year-old child, social services would have me arrested for child abuse and put my child in a foster home.

We have decided to stop watching television until the election. We just wanted all the TV advertisers to know of our decision.

I am shocked that Larson can call himself a Christian when he exhibits so few of the traits of the faith that he professes to love and follow.

Vernon Borgen

A16 Sunday, November 22, 1992

## □Ads

Continued from Page A1

said: "Kent Conrad, you voted for medical experimentation on the bodies of murdered babies. Kent, you knew that was wrong. The first duty of government is to protect human life."

As with earlier ads, Larson's latest commercial included vivid photographs of fetal parts depicting what are said to be remnants of abortions. Larson, a pro-life activist, has waged a single-issue campaign attacking abortion.

Conrad said there were two Senate votes, one 77-23 in support of fetal research, the other 85-12.

"Many strong pro-life senators supported this position," he said, "because of the critical need for this life-saving medical research."

Television stations are forced to air the graphic spots. Under federal law, stations must run commercials by candidates for federal office.

WDAY-TV and WDAZ-TV, which report numerous complaints from offended viewers, went to court in an unsuccessful effort to keep Larson's ads off the air.

"This is an unprecedented and outrageous abuse of the campaign process in North Dakota," Conrad said. "I am confident that the people of our state will reject this fundamentally immoral campaign tactic."

In an interview, Larson said fetal research requires fresh remains from a mature fetus, a claim Conrad rejected as inaccurate.

"This is a horrible thing that these senators are voting for," Larson said. "This is no fooling around. I agree it is a hideous crime."

Conrad said: "That is total fiction, completely dishonest and a sickening distortion of fact."

He refused Larson's debate challenge, saying, "Someone who has said things as outrageous and dishonest as this does not deserve a forum."

A spokesman for Conrad's Republican opponent in the Dec. 4 special election, Jack Dalrymple, criticized Larson's latest ad and called upon the independent challenger to refrain from airing the spots at times when children are likely to be viewing.

"That ad is far completely out of bounds," said Rich Matern, a spokesman for Dalrymple. "It is traumatic for little children. We would appeal to a sense of decency to not run the ad during times that children would be watching."

Both major party candidates had previously denounced Larson's television commercials.



# Judge denies ban of pro-life TV ads

Betsy Gerbohn

SE WRITER

Darold Larson's U.S. Senate campaign landed Friday in a federal courtroom, where a judge refused to grant a temporary restraining order against Larson's latest graphic pro-life television ads.


As a result, WDAY-TV of Fargo and WDAZ-TV of Grand Forks will be forced to air Larson's ads three times during tonight's 6 p.m. news and four times during a three-hour movie about star Michael Jackson and his family.

"We had a victory in court to praise Jesus," Larson's candidate for the late Sen. Quentin Burdick's unexpired term, said after the hearing in U.S. District Court in Fargo. "God is going to bring victory in the abortion industry."

Refusing to grant the order, District Judge Rodney Webb said neither the court nor the defendants had had adequate time to prepare for the hearing. "The law does a decision made without adequate time and contemplation," he said.

He also chastised the Federal Communications Commission, which he accused of "shirking its responsibility" in not clearly saying whether television ads that depict aborted fetuses should be labeled as indecent or obscene. "We're disappointed with the FCC's feeling that he could not interfere," Fargo lawyer Jon Brakke, who represented WDAY, said after the hearing. "We think ads are indecent and obscene but we have no choice but to run the ads at the times requested."

Larson and his campaign workers asked WDAY Friday morning to



**U.S. SENATE**  
**SPECIAL ELECTION**

Darold Larson, a U.S. Senate candidate in the Dec. 4 special election, will air his latest abortion ads this weekend on WDAY-TV Channel 6 in Fargo and WDAZ-TV Channel 8 in Grand Forks at these times:

**Saturday**  
During the 6 p.m. news, just after the 6:30 p.m. news, before the 7 p.m. news and after the 8 p.m. news.

**Sunday**  
6:58 p.m., 8:28 p.m., 8:58 p.m. and 9:58 p.m.

FORUM GRAPHIC

run the latest ads, which Brakke described as the most graphic yet of Larson's commercials.

The ads have created considerable controversy since they began running and have generated more than 1,000 complaints at WDAY and WDAZ alone, general manager Mark Prather said Friday.

Under FCC regulations, a television station cannot censor any political advertisement, but neither is it allowed to run anything considered indecent or obscene during any time but during the "safe harbor" hours of midnight to 6 a.m. It also is required to run political ads whenever a politician re-

Larson

Back page, Column two

☐ Larson

Continued from Page A1

quests that they run and charge the politician the lowest possible advertising rate for the time period.

Brakke said the FCC's apparently conflicting laws were at the basis of the company's request for a temporary restraining order.

WDAY offered to run Larson's ads during safe harbor hours, but Larson insisted on the spots during tonight's news and Sunday's Jackson movie.

Though Brakke arranged for a television and VCR to be set up in the courtroom Friday, Webb refused to view Larson's latest ad.

"I think it's important that the court view the advertisement," Brakke said.

"No, it's not," Webb retorted. "I don't want to look at it."

Webb said he had not viewed any of Larson's other ads, but he could understand why parents would be concerned if their children saw them.

"Television has invaded our families and when an ad is aired, I think it can be argued that that is an invasion of privacy," the judge said. "I can imagine that parents would be very upset if small children viewed this ad."

But he said it was the FCC's responsibility, and not the court's, to clarify its rules governing indecent or obscene ads.

Friday's hearing was not without drama.

The Larson hearing was late getting started because of a crowded court calendar. Larson and a handful of supporters arrived at the federal courthouse just after 3 p.m. and convened in a consultation room across from the main courtroom, where Webb was presiding over a probation violation hearing.

Within minutes, shouts of "Praise the Lord!" and "Hallelujah!" began emanating from the room, along with loud speaking in tongues.

The racket caused court clerk Ralph Hanson to activate a security alarm in Webb's court. Then Hanson rushed down the hallway, stuck his head into the consultation room and ordered Larson's group to "hold it down."

At the end of the probation violation hearing, Webb stopped just before he entered his chambers.

"What's the ruckus?" he asked a deputy marshal.

The marshal told Webb what had happened across the hall.

"Got plenty of marshals around, do we?" the judge asked. He was assured that security would be adequate.

Indeed, security was so tight during the Larson hearing that seven deputy marshals and 10 court security officers were stationed around the courtroom.





## Letters

### Larson's abortion ads cause personal hurt

In response to the recent controversy over the abortion ads on television:

Everyone is so focused on the pro-life/pro-choice issue that a very important reason for not allowing this type of advertising is being forgotten.

No one, regardless of their abortion stance, could possibly approve of the ad where pieces of an aborted baby (fetus) are held up to the camera.

My family finds this ad revolting for very personal reasons. Four years ago, I suffered a miscarriage when 11 weeks pregnant (three weeks further along than the baby (fetus) in the ad). Unfortunately, an emergency procedure had to be performed called a suction curettage because the miscarriage was what is called a missed abortion.

I was told that the procedure, but, for obvious reasons, not the actual miscarriage, was shown on television. I was told that the procedure was shown on television because it was a commercial and they had to show it. I was told that the procedure was shown on television because it was a commercial and they had to show it.

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The trauma we experienced as a result of these ads has nothing to do with our individual stands on abortion.

Debbi Villella  
Fargo

## Opinion

"AS LONG AS IT'S A POLITICAL CAMPAIGN AD, AND, IT'S NEITHER OBSCENE OR INDECENT WE REALLY DON'T CARE WHAT COMES OVER THE TUBE."

